

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. William Frazier, III

Docket No. 5:04-CR-25-1BO

Petition for Action on Supervised Release

COMES NOW Scott Plaster, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of William Frazier, III, who, upon an earlier plea of guilty to Possession With Intent to Distribute More Than Five Grams of Cocaine Base and Use of a Firearm During and in Relation to a Drug Trafficking Offense, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 924(c)(1), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on June 24, 2004, to the custody of the Bureau of Prisons for a term of 120 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

William Frazier, III was released from custody on August 23, 2012, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On November 8, 1989, the defendant was convicted of the offense of Attempted Second Degree Rape, at which time he was sentenced to six years imprisonment. The defendant was released from prison on March 5, 1997, following the completion of this sentence and other sentences for which he was ordered to serve periods of imprisonment. As a result of the defendant being released after January 1, 1996, he is required to comply with the North Carolina sex offender registration requirements. Accordingly, the probation office is asking that the defendant's conditions of supervised release be modified to include warrantless searches and the NCE Sex Offender Program. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

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1. The defendant shall participate in mental health/sex offender treatment, evaluation testing, clinical polygraphs and other assessment instruments as directed by the probation officer. While under supervision in the Eastern District of North Carolina, the defendant shall further abide by the rules and regulations of the NCE Sex Offender Program.
2. The defendant shall submit to a search of his person, house, residence, vehicle, papers, computer, other electronic communication or data storage devices or media, and effects at any time, with or without a warrant. The search may be conducted by any law enforcement officer or probation officer with reasonable suspicion concerning a violation of a condition of supervision or unlawful conduct by the person, and by any probation officer in the lawful discharge of the officer's supervision functions.
3. The defendant shall comply with the registration requirements of the Sex Offender Registration and Notification Act of 2006, as directed by the probation officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Scott Plaster
Scott Plaster
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: September 4, 2012

ORDER OF COURT

Considered and ordered this 5 day of September, 2012, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge